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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,312	03/12/2004	Juan Carlos Martinez	07781.0156-00	1750
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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER	
			SHIU, HO T	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/800,312

Applicant(s)

MARTINEZ ET AL.

Examiner

HO SHIU

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-49 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-10, 23-32, and 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lonroth et al. (US Patent # 6,826,597 B1, hereinafter Lon) in view of Dutta et al. (US Patent # 6,615,212 B1, hereinafter Dutta).**

4. With respect to claims 1 and 23, Lon discloses a computer-implemented method and a computer readable media embodying a program for automatically configuring a translation code, the method comprising: translating data within a server into a data format required by a client using the translation code (col. 4, lines 6-16); transmitting the translated data from the server to the client (col. 4, lines 6-24) automatically adapting the translation code to the changed data format upon receipt of the data object definition message (col. 4, lines 6-24) but does not clearly disclose

transmitting a change of the data format from the client to the server in a data object definition message.

In the same field of endeavor, Dutta discloses a computer-implemented method and a computer readable media embodying a program for automatically configuring a translation code, the method comprising: translating data within a server into a data format required by a client using the translation code (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); transmitting the translated data from the server to the client (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); transmitting a change of the data format from the client to the server in a data object definition message (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); and automatically adapting the translation code to the changed data format upon receipt of the data object definition message (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lon with the teachings of Dutta in order to be able to improve the method of transcoding data formats and sending information to minimize transmission times.

5. With respect to claims 2 and 24, Lon discloses wherein the data object definition message is automatically transmitted from the client to the server upon change of the data format within the client (col. 4, lines 6-16, when requests are made, client is

changing the format required by the client).

6. With respect to claims 3 and 25, Lon discloses wherein the translation code is adapted to the changed data format within a translation code generator upon receipt of the data object definition message (col. 6, lines 2-7).

7. With respect to claims 4 and 26, Lon discloses wherein the translated data is transmitted from the server to the client using a standard object description language (col. 4, lines 16-24).

8. With respect to claims 5 and 26, Lon discloses wherein the data object definition message is transmitted from the client to the server using a standard object description language (col. 4, lines 6-16).

9. With respect to claims 6 and 27, Lon discloses wherein the data format required by the client is extracted and translated from the stored data by the translation code prior to sending the translated data from the server to the client (col. 5, lines 31-37, col. 8, lines 22-30).

10. With respect to claims 7 and 28, Lon discloses the translation code uses XSL for translating the data into said the data format required by the client (col. 4, lines 6-24,

col. 7, lines 39-49).

11. With respect to claims 8 and 29, Lon discloses wherein the server provides a data object definition message format (col. 5, lines 31-37).

12. With respect to claims 9 and 30, Lon discloses further comprising the step of managing access to the server by the data object definition messages via an authorization management procedure (col. 5, lines 21-30).

13. With respect to claims 10 and 31, Lon discloses further comprising the step of managing data formats of different clients via a version management procedure (col. 4, lines 56-67, col. 5, lines 1-3).

14. With respect to claim 45, Lon discloses a computer system for automatically configuring a translation code, the system comprising:
a code generator, associated with a server, that provides the translation code and which includes a subcomponent that adapts the translation code automatically to a change of data format upon receipt of a data object definition message (col. 4, lines 6-24); and a translating means, for translating data into a data format required by a client based on the translation code (col. 4, lines 6-24) but does not clearly disclose transmitting a change of the data format from the client to the server in a data object definition message.

In the same field of endeavor, Dutta discloses a computer-implemented method and a computer readable media embodying a program for automatically configuring a translation code, the method comprising: translating data within a server into a data format required by a client using the translation code (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); transmitting the translated data from the server to the client (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); transmitting a change of the data format from the client to the server in a data object definition message (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7); and automatically adapting the translation code to the changed data format upon receipt of the data object definition message (col. 7, lines 63-67, col. 8, lines 1-22, col. 9, lines 13-67, col. 10, lines 1-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lon with the teachings of Dutta in order to be able to improve the method of transcoding data formats and sending information to minimize transmission times.

15. With respect to claim 46, Lon discloses wherein the translating means extracts the information required by the client from the data prior to sending the translated data from the server to the client (col. 5, lines 31-37, col. 8, lines 22-30)

16. With respect to claim 47, Lon discloses further comprising a managing procedure that manages the data format of the data object definition message (col. 7, lines 39-49).

17. With respect to claim 48, Lon discloses further comprising an access control procedure that controls access to the server by the data object definition messages (col. 5, lines 21-30)

18. With respect to claim 49, Lon discloses further comprising a detection procedure that automatically detects changes in the data format (col. 6, lines 1-3, lines 32-52).

19. Claims 11-13, 15-22, 33-35, 37-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lon and Dutta as applied to claims 1 and 23 in view of Bauer et al. (US Patent # 5,884,325, hereinafter Bauer).

20. With respect to claims 11 and 33, Lon and Dutta does not clearly disclose upon change of the data format, the server requests the data object definition message from the client and the client transmits the data object definition message upon request to the server.

In the same field of endeavor, Bauer discloses upon change of the data format, the server requests the data object definition message from the client and the client transmits the data object definition message upon request to the server (col. 1, lines 50-57, col. 2, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lon and Dutta with the teachings of Bauer in order to ensure that the files of the server are up-to-date with the files of the client.

21. With respect to claims 12 and 34, Lon discloses wherein the server automatically detects changes in the data format of data associated with the server (col. 6, lines 1-3, lines 32-52)

22. With respect to claims 13 and 35, Lon discloses the computer-implemented method of claim 12, wherein the changes in the data format are detected by version identification (col. 7, lines 39-49)

23. With respect to claims 15 and 37, Lon discloses wherein the translation code is adapted to the changed data format within a translation code generator upon reception of the data object definition message (col. 6, lines 2-7).

24. With respect to claims 16 and 38, Lon discloses wherein the translated data is transmitted from the server to the client using a standard object description language (col. 4, lines 16-24).

25. With respect to claims 17 and 39, Lon discloses wherein the data object definition message is transmitted from the client to the server using a standard object description language (col. 4, lines 6-16).

26. With respect to claims 18 and 40, Lon discloses wherein the data required by the client is extracted and translated from the stored data by the translation code prior to sending the translated data from the server to the client (col. 5, lines 31-37, col. 8, lines 22-30).

27. With respect to claims 19 and 41, Lon discloses the translation code uses XSL for translating the data into the data format used by the client (col. 4, lines 6-24, col. 7, lines 39-49).

28. With respect to claims 20 and 42, Lon discloses wherein the server provides a data object definition message format (col. 5, lines 31-37).

29. With respect to claims 21 and 43, Lon discloses further comprising the step of managing access to the server by the data object definition messages via an

authorization management procedure (col. 5, lines 21-30).

30. With respect to claims 22 and 44, Lon discloses further comprising the step of managing data formats of different clients via a version management procedure (col. 4, lines 56-67, col. 5, lines 1-3).

31. Claims 14 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lon and Dutta as applied to claims 1, 11, 12, 23, and 33 in view of Koskimies (US Pub # 2003/0233383, hereinafter Kosk).

32. With respect to claims 14 and 36, Lon and Dutta do not clearly disclose wherein the changes in the data format are detected during an exchange of data between the server and the client.

In the same field of endeavor, Kosk discloses wherein the changes in the data format are detected during an exchange of data between the server and the client ([0050], lines 1-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Lon and Dutta with the teachings of Kosk in order to be able to synchronize the client and the server in an efficient manner by knowing beforehand that a synchronization between the client and server is needed.

Response to Arguments

33. Applicant's arguments, with regards to claims 1-49 have been considered by are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HO SHIU whose telephone number is (571)270-3810. The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit: 2457

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HTS
01/30/2009

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